

Serial No. 10/714,767

Dkt.: P0011092.00

Filing Date: November 17, 2003

Title: IMPLANTABLE HEART VALVE PROSTHETIC DEVICES HAVING INTRINSICALLY CONDUCTIVE POLYMERS

**Remarks**

The Office communication mailed July 25, 2008 states that the Amendment and Response filed in the above-identified application on March 14, 2008 was not fully responsive to the prior Office Action, *i.e.*, the Final Office Action mailed December 27, 2007. In particular, the Office communication states that the recitation of the phrase “wherein the intrinsically conductive polymer does not require a metallic filler or coating” in amended claims 1, 7 and 20 constitutes new matter. The Office communication states that Applicants’ representative must show in the specification support for the phrase, or remove the subject matter from the claims.

It is respectfully submitted that support for the phrase “wherein the intrinsically conductive polymer does not require a metallic filler or coating” is found in the above-identified application. In particular, Applicants request the Examiner to consider the present specification at page 7, lines 3-6, wherein it is disclosed that the phrase “intrinsically conductive polymers” is defined as polymers that are conductive *without requiring non-polymeric conductive fillers or coatings, such as metallic filler or coatings*. Thus, it is respectfully submitted that the amendments to the claims presented in the Amendment and Response filed March 14, 2008 are fully supported by the specification as filed, and that no new matter has been added by way of the amendment.

RESPONSE TO OFFICIAL COMMUNICATION

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**Conclusion**

Applicants' respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney (763-505-8423) to facilitate prosecution of this application.

Please charge any required fees or credit any overpayments to Deposit Account No. 13-2546. As discussed above, Applicants submit that the finality of the Office Action mailed December 27, 2007 was improper and should be withdrawn. Applicants submit that because the request for RCE that accompanies this paper is predicated upon the improper final Office Action, the \$810 fee for filing this RCE should be refunded to Deposit Account No. 13-2546.

Respectfully submitted,

Date: August <sup>25</sup> 2008

By

  
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